

PTO/SB/21 (09-04) (AW 10/2004)

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16321  
1FW**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 9 + Enclosures (2)

Application Number	09/823,887
Filing Date	March 31, 2001
First Named Inventor	Sanjay Kumar et al.
Art Unit	1634
Examiner Name	Sakelaris, Sally A.
Attorney Docket No.	KUM-108US

**ENCLOSURES (Check all that apply)**

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/Declaration(s)<br><br><input type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Response to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><br><input type="checkbox"/> Power of Attorney, Revocation,<br>Change of Correspondence<br>Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication<br>to TC<br><br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply<br>Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><br><input checked="" type="checkbox"/> Other Enclosure(s) (please<br>identify below): Return Postcard<br>and Journal Articles (2). |
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**Remarks:****SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Firm Name	RatnerPrestia		
Signature			
Printed Name	Joy Mulholland		
Date	June 15, 2005	Registration No.	47,810

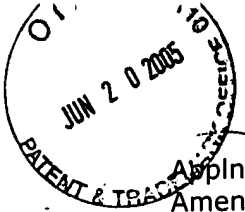
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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or Printed Name	Kathy Spira	Date	June 15, 2005

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Appln. No. 09/823,887:  
Amendment Dated June 15, 2005  
Reply to Communication of June 8, 2005

KUM-108US

Appln. No: 09/823,887  
Applicant: Sanjay Kumar et al.  
Filed: March 31, 2001  
Title: CLONING OF NOVEL GENE SEQUENCES EXPRESSED AND REPRESSED  
DURING WINTER DORMANCY IN THE APICAL BUDS OF TEA (CAMELLIA  
SINENSIS L. (O.) KUNTZE) BUSH  
TC/A.U.: 1634  
Examiner: Sakelaris, Sally A.  
Confirmation No.: 7559  
Docket No.: KUM 108US

**AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Mail Stop Amendment

Sir:

A response to the Office Action dated August 10, 2004 was filed as a Request for Continued Examination on February 10, 2004, with a request for 3 month extension of time. This response was timely filed, but was not in compliance because a final Office Action had not been issued. We were notified of the noncompliance in an Office Action dated June 8, 2005, and granted 30 days to file a proper response. This response should be in compliance with the Office Action of August 10, 2004.

Responsive to the Office Action dated August 10, 2004, please amend the above-identified application as follows:

- ☐ **Amendments to the Specification** begin on page \_\_\_\_\_ of this paper.
- ☒ **Amendments to the Claims** are reflected in the listing of claims which begins on page **2** of this paper.
- ☐ **Amendments to the Drawings** begin on page \_\_\_\_\_ of this paper and include an attached replacement sheet(s).
- ☐ **Amendments to the Abstract** are on page \_\_\_\_\_ of this paper. A clean version of the Abstract is on page \_\_\_\_\_ of this paper.
- ☒ **Remarks/Arguments** begin on page **4** of this paper.